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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20054

In the Matter of	)	
	)	
Amendment of Section 73.622(b)	)	**RM-**
Digital Television Table of Allotments,	)	
(Santa Ana, California)	)	

To: Chief, Media Bureau

AMENDED PETITION FOR RULEMAKING

Trinity Christian Center of Santa Ana, Inc., d/b/a Trinity Broadcasting Network, licensee of analog broadcast station KTBN-TV, Santa Ana, California ("Petitioner" or "Trinity") by its undersigned attorney and pursuant to Sections 1.419, 1.420 and 73.623 of the Commission's rules, hereby submits this amended request that the Table of Allotments for Digital Television ("DTV") Stations, Section 73.622(b) of the Commission's Rules, be changed as follows:

	Channel No.	
City	**Present**	**Proposed**
Santa Ana, California	**23c**	**33**

In support of such request, the following is set forth.

1. On January 30, 2003, Trinity submitted a request that the DTV Table of Allotments be amended by substituting channel 45 for channel 23.[1] The processing staff has informed Trinity that proposal would create impermissible adjacent interference with KXLA(TV), channel 44, Rancho Palas Verdes. Petitioner therefore now seeks to substitute DTV

[1] Previously, on May 1, 2000, Petitioner submitted a rulemaking petition, which was subsequently dismissed, seeking the assignment of channel 16 for channel 23 in Santa Ana.

channel 33 in lieu of DTV channel 23 at Santa Ana, California, for use by Station KTBN at the same transmitter site authorized for use by KTBN for its NTSC operation on Channel 40. DTV Channel 23 was allocated for use by KTBN pursuant to the Sixth Report and Order in MM Docket No. 87-268, 12 F.C.C. Rcd. 14588 (1997), recon. granted in part, 13 F.C.C. Rcd. 7418 (1998).[2]

2. As set forth in the attached engineering of Kevin T. Fisher, Smith and Fisher, the proposed DTV channel substitution is fully consistent with the requirements of Section 73.623(c) and 76.625(a) of the Rules. Specifically, the substitution of DTV Channel 33 at Santa Ana would comply with the principal community coverage requirements and will not result in more than two percent (2%) interference to the population served by any other DTV station, DTV allotment or analog television broadcast station or result in any affected station receiving interference in excess of ten percent (10%) to its viewing population (see Exhibits E-1, Interference Study, and Exhibit E-2, Interference Study Summary, of attached engineering).[3]

3. The proposed substitution would benefit the public interest for the following reasons. If the Petition for Rulemaking is adopted, Petitioner intends to operate DTV Channel 33 during the transition period with facilities which will provide service to a primary (41 dBu) population of 16,405,219 (Exhibit D-1). Absent a change in DTV allocation from Channel 23 to Channel 33, Petitioner will not, during the DTV transition period, engage in full power DTV

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[2] On April 29, 2004, Trinity was issued a construction permit for its channel 23 allocation (BPCDT-19991101AHZ).

[3] *See, WTIC-TV, Hartford, Connecticut (MM Docket 01-306)*, 18 FCC Rcd 93, DA 03-43 (January 08, 2003)(confirming interference standard of Rule 73.623(c)(2)).

operations, but, rather, will operate at low power, providing DTV service to far fewer viewers. Moreover, the Longley-Rice interference-free service on channel 33 would be 15,035,227 compared to only 13,429,034 on channel 23. Thus, the proposed substitution of Channel 33 would result in an increase in interim and post-transition DTV interference-free service to over 1,606,193 additional persons.[4]

4. The proposed change will also enable KTBN to avoid the extra cost of purchasing a transmitter and other equipment which it will not use at the end of the DTV transition period. As reflected by the attached engineering, Trinity would propose to operate on DTV Channel 33 after the transition period and, therefore, will be able to use the antenna, transmission line and transmitter employed during the transition period. If Petitioner's proposal to substitute Channel 33 in lieu of Channel 23 is adopted by the Commission, the resulting capital cost savings will make available additional resources for Trinity to invest in promoting and providing DTV and public interest programming to the public.

5. The success of a DTV station operation is inherently related to viewer acceptance; the larger the audience size, the greater likelihood that viewers will purchase DTV receivers and, further, purchase receivers at an earlier point in time. The compelling public interest benefit herein is that more than 1,600,000 additional persons will be served by a DTV Channel 33 operation at the commencement of KTBN' s DTV operation prior to the December 31, 2006, end

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[4] Even without reference to a Longley-Rice interference-free comparison, the attached engineering establishes that the 41 dBu service on channel 23 would serve 848,825 fewer viewers than would service on channel 33. The 41 dBu DTV service on channel 23 would be only 15,556,394, compared with 16,405,219 on Channel 33.

of the transition period. Accordingly, a Channel 33 DTV allocation would better serve to expedite the public's acceptance and conversion to digital television.

6. The proposed substitution of DTV Channel 33 for DTV Channel 23 would also permit station KTBN to replicate a substantially larger portion of its existing service area on analog Channel 40, from its current antenna site, during the DTV transition period and thereafter; and the proposed channel change complies with the coverage and allocation criteria set forth in the Commission's Rules. Accordingly, Trinity respectfully submits that its proposed DTV channel substitution would greatly serve the public interest.[5]

7. Accordingly, based on the foregoing, the Commission is respectfully requested to issue a Notice of Proposed Rulemaking to change the DTV allocation for Santa Ana, California from channel 23 to channel 33.

Respectfully submitted,

TRINITY CHRISTIAN CENTER OF SANTA ANA, INC., D/B/A TRINITY BROADCASTING NETWORK

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May 20, 2004

[5] Petitioner also respectfully requests that the Commission expedite the clearance process with Mexico concerning any perceived impact on allotments in Tijuana.

EXHIBIT A

ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of TRINITY BROADCASTING NETWORK, licensee of Television Station KTBN-TV, Santa Ana, California, in support of its Petition for Rulemaking to substitute Channel 33 for the KTBN-DT allotment on Channel 23.

Due to significant interference concerns on DTV Channel 23 with respect to KVCR-TV (Channel 24 in San Bernardino, California) and KADY-DT (Channel 24 in Oxnard, California), KTBN-DT cannot be properly maximized on its present channel. However, a detailed channel search and interference study reveals that DTV Channel 33 can be allotted to Santa Ana from the KTBN-TV site and with specific, maximized operating parameters.

The proposed site, at 34° 13' 27", 118° 03' 44", is that of KTBN-TV. For the purposes of our interference studies, we assumed that a Dielectric TUA-C2-16/32H-T directional antenna would be side-mounted on the present KTBN-TV tower. The proposed effective antenna height is 1765 meters AMSL, and the main-lobe ERP is 1000 kw. Proposed operating parameters are listed in Exhibit B, and Exhibit C provides the antenna radiation pattern data for the proposed antenna.

The predicted service contours are plotted in Exhibit D-1. As shown, the community of Santa Ana is entirely contained within the requisite 48 dbμ contour. Exhibit D-2 is a map upon which the proposed 41 dbμ contour of KTLA-DT, as authorized in BPCDT-20000425AAV, is plotted in relation to that proposed herein. KTLA-DT is allotted on

EXHIBIT A

Channel 31 in Los Angeles, part of the same DMA as KTBN-DT. Clearly, the KTLA-DT service area is greater than that of KTBN-DT, as proposed herein. As a result, this proposal does not specify a facility that exceeds the coverage of the largest DTV station in the market.

Exhibit E is an interference study, which concludes that the proposed facility meets the requirements of §73.623(c)(2) of the Rules with respect to both NTSC, DTV, and Class A LPTV facilities.

Therefore, it is respectfully requested that the FCC substitute DTV Channel 33 for DTV Channel 23 in Santa Ana, California, in its Digital Television Table of Allotments in §73.622(b) of the Rules as follows:

Community	Present Allotments	Proposed Allotments
Santa Ana, California	23c	33

I declare under penalty of perjury that the foregoing statements and the attached exhibits, which were prepared by me or under my immediate supervision, are true and correct to the best of my knowledge and belief.

KEVIN T. FISHER

May 11, 2004

EXHIBIT B

PROPOSED OPERATING PARAMETERS

PROPOSED KTBN-DT ALLOTMENT
CHANNEL 33 - SANTA ANA, CALIFORNIA

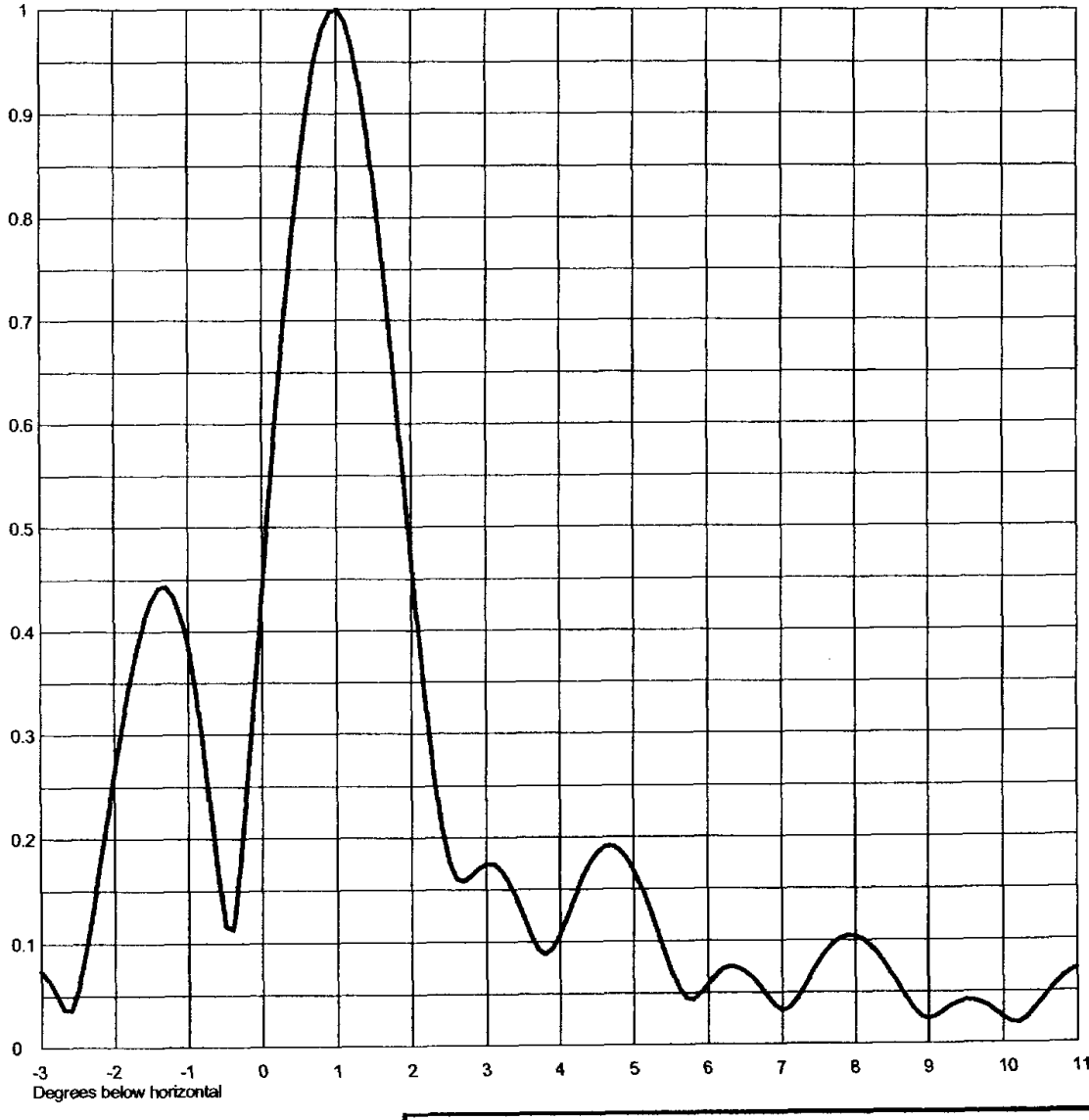
Channel Number:	33
Zone:	2
Site Coordinates:	34-13-27 N 118-03-44 W
Antenna Structure Registration Number:	None required
Tower Site Elevation (AMSL):	1726 meters
Overall Tower Height Above Ground:	61 meters
Overall Tower Height Above (AMSL):	1787 meters
Effective Antenna Height Above Ground:	39 meters
Effective Antenna Height (AMSL):	1765 meters
Average Terrain Elevation (2-10 miles):	875 meters
Effective Antenna Height Above Average Terrain:	890 meters
Antenna Make and Model:	Dielectric TUA-C2-16/32H-T
Orientation:	Directional at 180° T
Electrical Beam Tilt:	1.0°
Polarization:	Horizontal
Effective Radiated Power (main-lobe, maximum):	1000 kw

Dielectric

Proposal Number		Revision	
Date	**10 May 2004**		
Call Letters	**KTBN-DT**	Channel	**33**
Location	**Santa Ana, CA**		
Customer			
Antenna Type	**TUA-C2-16/32H-1-T**		

ELEVATION PATTERN

RMS Gain at Main Lobe	**32.5 (15.12 dB)**	Beam Tilt	**1.00 Degrees**
RMS Gain at Horizontal	**6.4 (8.06 dB)**	Frequency	**587.00 MHz**
Calculated / Measured	**Calculated**	Drawing #	**16U325100-5870**



Remarks:

EXHIBIT C-1

ANTENNA ELEVATION PATTERN

PROPOSED KTBN-DT ALLOTMENT
CHANNEL 33 - SANTA ANA, CALIFORNIA

SMITH AND FISHER

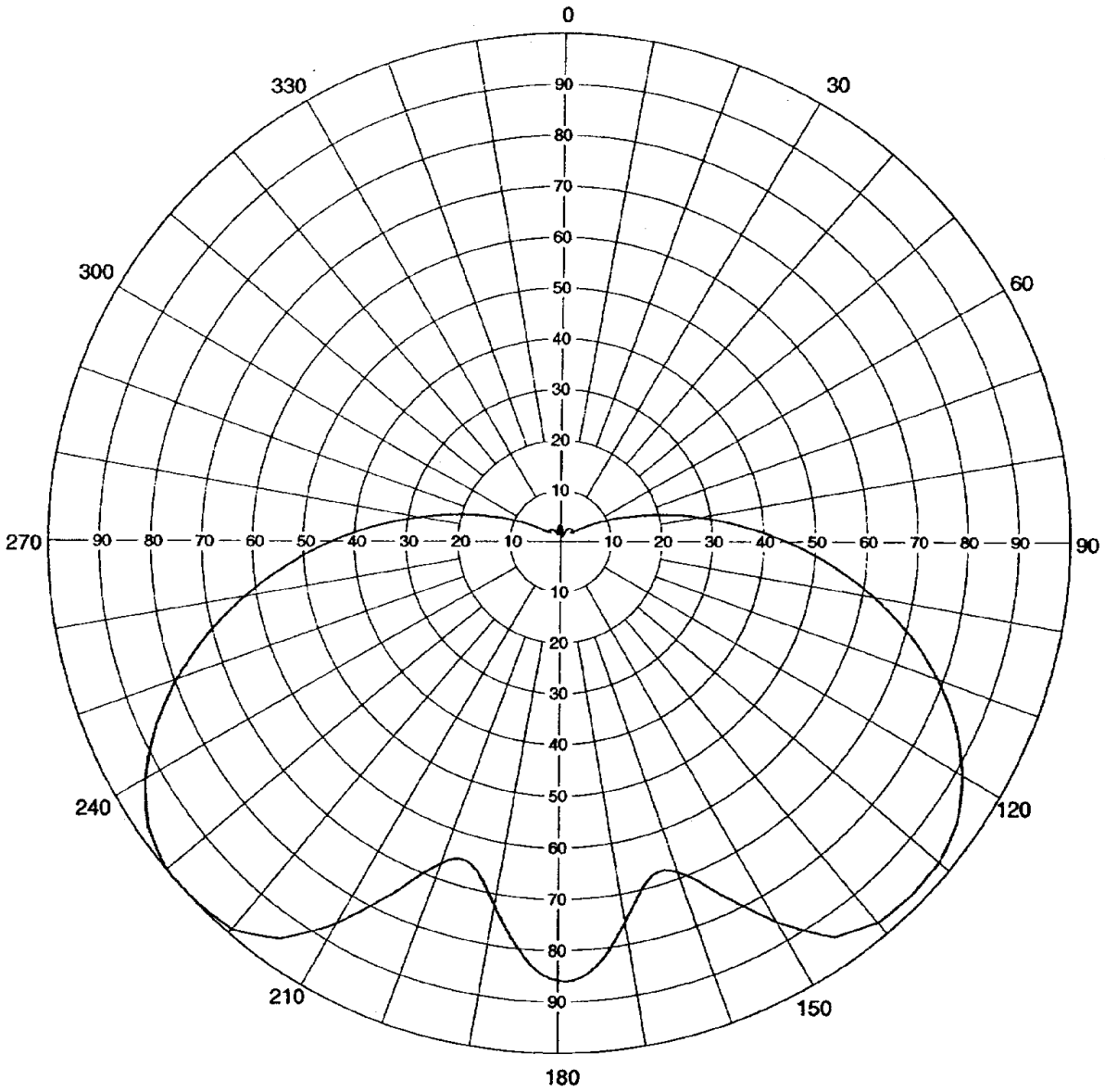
Exhibit No.

Dielectric

Date	02 Sep 2003		
Call Letters		Channel	33
Location	Santa Ana, CA		
Customer			
Antenna Type	TUA-C2-16/32H-T		

AZIMUTH PATTERN

Gain	2.90 (4.62 dB)	Frequency	587 MHz
Calculated / Measured	Calculated	Drawing #	TUA-C2



Remarks:

EXHIBIT C-2

ANTENNA AZIMUTH PATTERN

PROPOSED KTBN-DT ALLOTMENT
CHANNEL 33 - SANTA ANA, CALIFORNIA

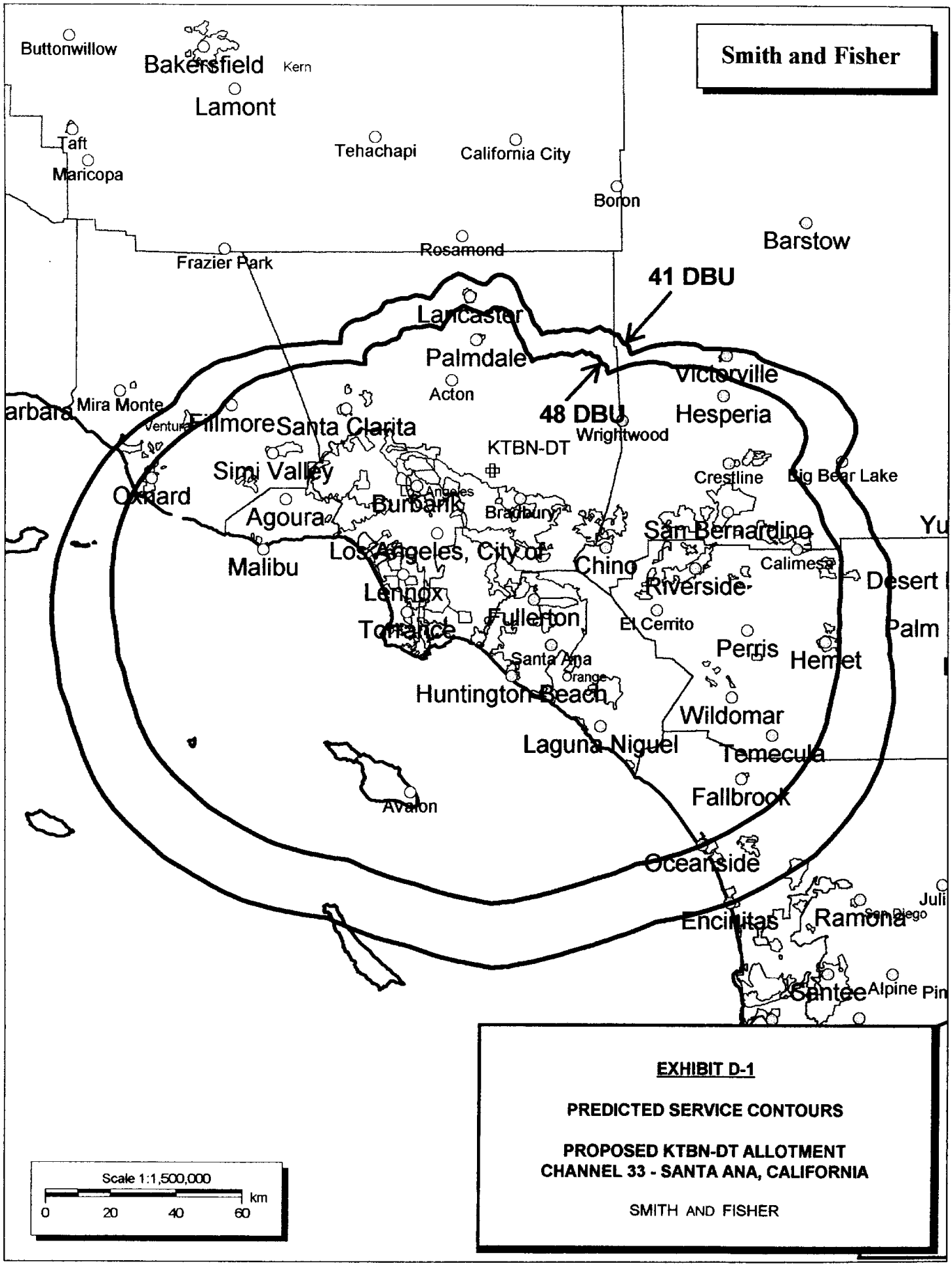
SMITH AND FISHER

EXHIBIT C-3

ANTENNA RADIATION VALUES

PROPOSED KTBN-DT ALLOTMENT
CHANNEL 33 - SANTA ANA, CALIFORNIA

Azimuth (° T)	Relative Field	ERP (dbk)	Azimuth (° T)	Relative Field	ERP (dbk)
0	0.03	-0.5	180	0.86	28.7
10	0.02	-4.0	190	0.72	27.1
20	0.02	-4.0	200	0.67	26.5
30	0.03	-0.5	210	0.86	28.7
40	0.03	-0.5	220	0.99	29.9
50	0.03	-0.5	230	1.00	30.0
60	0.06	5.6	240	0.93	29.4
70	0.14	12.9	250	0.80	28.1
80	0.28	18.9	260	0.62	25.8
90	0.45	23.1	270	0.44	22.9
100	0.62	25.8	280	0.28	18.9
110	0.79	28.0	290	0.14	12.9
120	0.92	29.3	300	0.06	5.6
130	0.98	29.8	310	0.03	-0.5
140	0.97	29.7	320	0.03	-0.5
150	0.86	28.7	330	0.02	-4.0
160	0.69	26.8	340	0.02	-4.0
170	0.76	27.6	350	0.03	-0.5


Smith and Fisher
Buttonwillow
Bakersfield
Kern
Lamont
Taft
Maricopa
Tehachapi
California City
Boron
Barstow
Rosamond
Frazier Park
41 DBU
Lancaster
Palmdale
Victorville
Acton
48 DBU
Hesperia
Wrightwood
Mira Monte
Fillmore
Santa Clarita
KTBN-DT
Simi Valley
Oxnard
Crestline
Big Bear Lake
Agoura
Burbank
Bradbury
San Bernardino
Malibu
Los Angeles, City of
Chino
Calimesa
Riverside
Lennox
Torrance
Fullerton
El Cerrito
Perris
Hemet
Santa Ana
Orange
Huntington Beach
Wildomar
Laguna Niguel
Temecula
Fallbrook
Avalon
Oceanside
Encinitas
Ramona
Santee
Alpine
Scale 1:1,500,000
km
0
20
40
60
EXHIBIT D-1
PREDICTED SERVICE CONTOURS
PROPOSED KTBN-DT ALLOTMENT
CHANNEL 33 - SANTA ANA, CALIFORNIA
SMITH AND FISHER

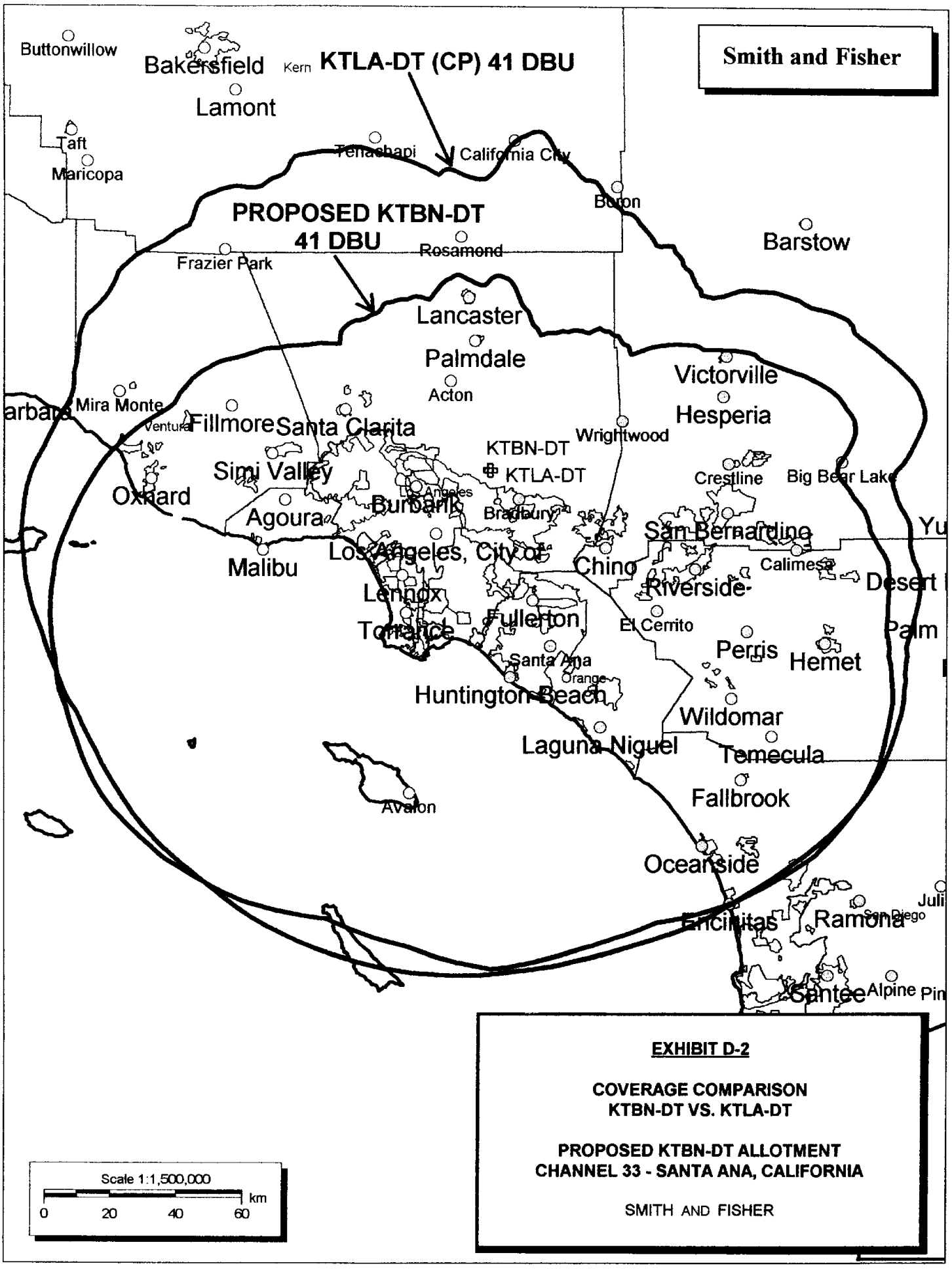


EXHIBIT D-2

COVERAGE COMPARISON
KTBN-DT VS. KTLA-DT

PROPOSED KTBN-DT ALLOTMENT
CHANNEL 33 - SANTA ANA, CALIFORNIA

SMITH AND FISHER

EXHIBIT E-1

INTERFERENCE STUDY

PROPOSED KTBN-DT ALLOTMENT
CHANNEL 33 – SANTA ANA, CALIFORNIA

An interference study was conducted using the operating parameters of the facility described herein to determine if it meets the FCC's *de minimis* interference requirements of Section 73.623(c)(2) of the Commission's Rules. Specifically, the proposed facility may not cause more than two percent interference to the service population of a DTV or NTSC facility, nor can its interference contribution result in an excess of 10 percent total DTV interference to the service population of any DTV or NTSC facility.

The service area of a DTV station is defined as that which is calculated using the Longley-Rice propagation model to receive a signal of 41 dbμ or greater and lies within the predicted 41 dbμ contour of the station using the F(50,90) curves, the station's effective radiated power, and 2-10 mile terrain averages along each radial.

In evaluating the interference effect of this proposal, we have relied upon the V-Soft Communications "Probe II" computer program, which has been found generally to mimic the FCC's program. Changes in interference caused by the proposed allotment facility to other pertinent stations are tabulated in Exhibit E-2.

As indicated, the proposed allotment would not contribute more than two percent DTV interference to the service population of any potentially affected NTSC or DTV station. In addition, this proposal does not result in any NTSC or DTV station receiving more than ten percent total DTV interference to viewers living within the station's authorized or proposed service area.

EXHIBIT E-1

Therefore, this proposal meets the FCC's *de minimis* interference standards as defined in Section 73.623(c)(3) of the Commission's Rules.

It is also important to note that, using the same Longley-Rice methodology described above, we have determined that the proposed DTV allotment facility does not cause interference to any authorized Class A LPTV station.

EXHIBIT E-2

INTERFERENCE STUDY SUMMARY

PROPOSED KTBN-DT ALLOTMENT
CHANNEL 33 – SANTA ANA, CALIFORNIA

Call Sign	City, State	CH.	Coverage Population	Interference Population From KTBN-DT	%	Total DTV Interference	%
KNET-LP (Appl.)	Los Angeles, CA	25	4,470,669	0	0	--	--
KSFV-LP	San Fernando Valley, CA	26	6,872,212	0	0	--	--
KPXN (TV)	San Bernardino, CA	30	11,527,940	0	0	576,631	5.0
KPXN (TV) (Appl.)	San Bernardino, CA	30	12,022,123	0	0	814,736	6.8
KDOC-DT (CP)	Anaheim, CA	32	13,499,955	11,712	<0.1	20,722	0.2
KBAK-DT (CP)	Bakersfield, CA	33	820,937	89	<0.1	108	<0.1
KMEX-TV	Los Angeles, CA	34	12,728,613	2,000	<0.1	4,939	<0.1
KDOC-DT (Allot.)	Anaheim, CA	32	12,018,436	69,337	0.6	855,319	7.1